



*East Longmeadow
Planning and Community Development Department
60 Center Square
East Longmeadow, Massachusetts 01028*

Robyn d. Macdonald, Director

*robyn.macdonald@eastlongmeadowma.gov
(413) 525-5400 - ext. 1700 - fax (413) 525-1656*

Minutes of May 16, 2017

Present were: Chair, George Kingston; Vice Chair, Deborah Bushnell; Clerk, Tyde Richards.

Paul Caron – Discussion regarding possible drive-thru restaurants

Paul Caron, 15 Crestview Road asked if the Planning Board would consider amending the town by-laws to lift the ban on the use of drive-thru windows by food establishments and pharmacies. He said that it would be seen as a way of making East Longmeadow more business friendly and helps encourage additional economic activity. Mr. Caron said that he has Paul Caron Associates and Government Relations Firm he also serves as a Community Liaison for the local Dunkin Donuts franchisee, John Salima and his family. He said that Dunkin Donuts would be very interested in seeing what the possibility would be to build a new facility in town. Mr. Caron said currently under the allowed use section of the by-laws there's language that specifically prohibits the use of drive-thru windows for the exchange of any consumable goods. He said the drive-thru windows allowed in town are specifically meant for banks and currently to his knowledge there are no drive-thru's that have been issued to any non-banking businesses. Mr. Caron said that there has been a historic bias in town against allowing any drive-thru windows and its desire to maintain its small town feeling and to prevent what many fear explosive growth of commercial fast food chains in town. He said to his knowledge Longmeadow and East Longmeadow are the only Western Mass Communities in the Greater Springfield area that currently have an outright prohibition on drive-thru windows. Mr. Caron suggested that the Planning Board consider amending the town's by-laws to allow the use of drive-thru windows by Special Permit with restrictions and conditions to those who sell consumable goods. He said that it's his understanding that the town by-laws are under the town charter and would require a two-step procedure. Mr. Caron said the first step would have to be made under the allowable use section and the second one under the Special Permit section and suggested that the Planning Board consider amending the allowed section that prohibits the exchange of consumable goods and add the words "except by Special Permit". He said the second change that would have to made is to amend the Special Permit section of the town by-laws and establish a list of conditions that could be attached to any Special Permit granted for the drive-thru permit that allowed for the exchange of consumable goods by food establishments and pharmacies. Mr. Caron said the change in the town by-laws would not only benefit Dunkin Donuts and other food establishments but also would be very welcomed by East Longmeadow pharmacies. He said that it's his sincere hope that the Planning Board seriously considers adopting the suggested

changes to its bylaws and allow drive-thru windows for consumable goods to the residents of East Longmeadow.

Mr. Kingston said for the record they currently allow restaurants only in Business and Industrial zones. He said that restaurants are under Special Permit right now with provisions up front prohibiting drive-thru's. He said that pharmacies are considered to be retail stores and they are allowed in Business and Industrial. Mr. Kingston said if they were to change it they would have to put in a separate use as a drive-thru for Special Permit to make sure they covered pharmacies as well as restaurants and addressed the Board for any questions.

Mr. Richards said that he really needs a lot of time to think about it and said that he is on both sides of the fence for a number of different reasons. He said his history is that of a real estate developer and has developed over 72 Rite Aid Drug Stores all over New England and North Carolina and every one of them had a drive-thru window. Mr. Richards said that he sees the advantage from a retail standpoint and needs to get more up to speed on what the town's concerns are with drive-thru's. He said that they are there to serve the town and bring new businesses into the town that serve the town. Mr. Richards said that he certainly sees his side of the argument but would also like to understand the other side of the argument before he formulates an opinion in his mind and he really needs to think about it.

Mr. Caron said as a former State Legislator for 20 years it's better to expand the tax base than to raise taxes. He asked that if the Board would consider it because there are many businesses right now that look beyond the boundaries of East Longmeadow because of the prohibition here.

Mr. Richards said being in the retail development business he has talked with McDonalds, Burger King, Wendy's, everybody that has a drive-thru window and they all say that they are not going to East Longmeadow because they can't have a drive-thru window. He said that he understands the argument about expanding the tax base but on the other side of the coin it's obvious that the town for a very very long period of time has been against drive-thru windows. He said that's a side of the argument the he needs to understand because at the end of the day they serve the people who live here and hypothetically if it went to a public vote and the vote was to be against drive-thru windows they have to honor that because that's the wishes of the town. However he does understand the argument of a great tax base with more development and so forth so he really needs to spend some time digesting the whole topic.

Ms. Bushnell said first of all she wanted to say that the presentation was very good and that Mr. Caron did a nice job and it was very informative. She said that mirrors a lot of what Mr. Richard's said and she is very conflicted. Ms. Bushnell said that she is on the fence and it isn't a personal decision it is a decision for the town's people. She said while there is some allure to living in East Longmeadow that they will not have drive-thru and there is a vast population that wants it, so there are both sides. Ms. Bushnell said that she would also like to spend more time doing more research and seeing exactly how the town's people feel on it. She said one drawback she sees is not having the drive-thru losing revenue to other town's and one of the things she thinks they gain from

not having drive-thru is keeping it more of a quaint intimate environment. Ms. Bushnell said that she sees both sides and she doesn't have the answers right now.

Mr. Caron said the he would just like them to consider it and when he left the legislature 15 years ago he started community outreach and government relations the franchisee and back then one of the first things they said was can you see about getting a drive-thru in East Longmeadow. He said back then it was town meeting and he thinks times have changed and the concern had been that if we allow them they're going to spring up everywhere.

Mr. Kingston stated that he is also on the fence, on one hand he likes the idea of drive-thru's because they are very convenient. He said that he has no idea when it was actually put in and they are inheriting something that was put in back in the 50's or 60's. Ms. Macdonald said it 1993. Mr. Kingston said that it's fairly recent but not all that recent and what he would like to see are two things, one being provide them with some of the Special Permit conditions that are used in the other towns in which they operate and also a list of 2 or 3 Dunkin Donuts or other franchisees that he represents & their locations so that they could go out and look at them on their own and see how they operate.

Mr. Caron said that they have 49 and will give them a list of locations and give them a copy of his testimony because within it there is a list of the most common called Order of Conditions that again empower the town to state their comments and they have to make sure police & fire public safety is satisfied with it.

Mr. Kingston said if the Board had Wilbraham's, Agawam's or Ludlow's that would help them see the exact language they use and said that it has to be exact, it has to be very carefully crafted.

Mr. Caron said that he extrapolated out the most of common restrictions because everything is site specific.

Mr. Kingston said that he knows that they are going to hear from their constituents and he doesn't know if the Council is going to hear it as well. He said when a lot of people think drive-thru restaurants and fast food restaurants they are looking at Allen Street. Mr. Kingston said there have been significant incidents on Allen Street with fights and things like that between rival towns if you will or rebel groups of young people and the concern would be will this increase the requirement for services in town. He said that they would obviously have to ask the opinion of the Police Department what they would think about it and through their Public Safety Officer or through the Chief let the Board know what their concerns are as well. Mr. Kingston said that it's not Allen Street yet but North Main Street is not that different and those are some of the things they need to consider going forward to make sure that if they propose it, it is a plus to the town and not a negative.

Mr. Caron said the other thing he would add is under the security requirements one of the conditions he knows in Springfield in certain areas is that they have security cameras that plug into local police department so it expands their view.

Ms. Bushnell asked Mr. Caron if Hampden allows drive-thru's? Ms. Macdonald said yes they do.

Mr. Richards said that he understands the argument for drive-thru's and has been involved in it for a long time. He said that he just wants to make sure that he understands the argument against the drive-thru's from the community before he can go much further with his opinion.

Ms. Macdonald suggested doing a survey and placing it on the town's web site.

Mr. Kingston said that he thinks the survey is a great idea and then they should put it on the agenda perhaps in the next couple of months and try to come up with the proper wording and if they could get some examples from other town's that would help. He said hopefully by then they will have a full Board so that they could hold a hearing if they chose and get public input through that as well and see where it goes. Mr. Kingston said that it would have to go to the Council and they have their own constituents who will talk to them about whether or not they think it's a good idea.

Mr. Caron said that he can give the Board the list of restrictions and conditions that they have for a number of different Dunkin Donuts in different locations. He said that most communities don't have a boiler plate it's specific to depending on the location but most of them always have the same concerns such as lot size, queuing lanes, lighting and some things are universal.

Mr. Kingston said that Special Permits are public documents and if he has copies of two or three of them that have been issued to his clients he could provide those to the Board. Mr. Caron said that he can do it the following day and will see about getting a couple of drive-thru permits in different towns and their lists of their Order of Conditions. Mr. Kingston said that it is an important issue that they need to take very seriously and thanked Mr. Caron for coming in bringing it before them and said that they will move forward on it.

Miscellaneous

Town Manager, Denise Menard was in the audience and Mr. Kingston asked her if there was anything she had to bring to the Board. Ms. Menard said no but she assured the Board that she was working on getting them some additional members.

Waivers of Site Plan Review Approved

Reflections by Claudia, 87 Shaker Road

Comfort Plus Caregivers, LLC, 264 North Main Street

Request for Signage – Reflections by Claudia, 87 Shaker Road

Clerk, Tyde Richards read a request for signage from Catherine Belleville, Reflections by Claudia, 87 Shaker Road.

After review of the proposed signage and upon motion duly made by Deborah Bushnell and seconded by Tyde Richards, the Board voted unanimously (3-0) to approve the ground sign as presented showing the name of the business, measuring a total of 24 square feet, conditioned upon applying and obtaining a building/sign permit from the Building Inspector.

Non-acceptance of handwritten applications

Mr. Kingston said at their last meeting they talked about encouraging people not to give the Board handwritten applications because a lot of times the applications are barely legible. He said in this day and age people shouldn't have to fill things out by pen & ink, they should be able to go to their computer and fill it out on line. Ms. Macdonald said some fillable applications have been put on line and some haven't but again a lot of people don't have access to computers especially the older people they don't know how to use them, they don't know how to fill things out. She said people that come to the office with a handwritten one have trouble with what the questions are. Ms. Bushnell said that maybe they might not want to make it a requirement. Mr. Richards said in all honesty 95% of time the ones he is reading are home offices with computers. He said there might be a few of those and maybe they can do something to help out a little bit. Mr. Kingston said were possible that they should really be encouraging people to give the Board something that is not hand written and have fillable forms on line available. Mr. Richards said maybe at least they can have the ones not computer generated be hand printed just so they can be legible.

With no further business and upon motion duly made by George Kingston and seconded by Deborah Bushnell, the Board voted 3-0 to adjourn at 6:45 p.m.

For the Board,

Tyde Richards, Clerk